

EXHIBIT 1

**(Plaintiff's Response and Brief in Opposition of Defendants' Motion for
Summary Judgment)**

HILL v. WONCH, ET AL

DEPOSITION OF TIMOTHY EDWARD NORMAND

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

RICHARD J. HILL,

Plaintiff,

v

JUSTIN WONCH, and
TOWNSHIP OF FORSYTH,

Defendants.

US District Judge:
HON. JANET T. NEFF

US Magistrate Judge:
HON. MAARTEN VERMAAT

Case No. 2:19-cv-159

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DEPOSITION OF TIMOTHY EDWARD NORMAND

Taken by the Defendants on the 18th day of February, 2020,
at 100 North Big Creek Road, Marquette, Michigan, at
3:30 p.m.

APPEARANCES:

For the Plaintiff: MR. PHILLIP B. TOUTANT (P72992)
Numinen DeForge & Toutant PC
105 Meeske Avenue
Marquette, Michigan 49855
(906) 226-2580

For the Defendants: MS. SUSAN DOUGLAS MacGREGOR (P41741)
Kitch Drutchas Wagner Valitutti &
Sherbrook PC
1440 West Ridge Street, Suite C
Marquette, Michigan 49855
(906) 228-0001

Also Present: Lauren Peters
Justin Wonch

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1 Q Okay. All right. So you were at their home on the day of
2 this event?

3 A Yes.

4 Q Why were you there? Why did you go over there?

5 A I don't know. I just stopped in to see Vickie.

6 Q She didn't call you up and say, "Please come over," or
7 anything?

8 A No, not that I remember; no.

9 Q Okay. You just happened to stop in that day?

10 A Yeah.

11 Q All right. And then do you know approximately what time
12 that was that you got there?

13 A I'm not sure, no.

14 Q Had you been there for hours when this all went down?

15 A I don't think so. I'm not -- I don't think I was there that
16 long, no, before it started.

17 Q Did you have a meal there?

18 A Maybe a snack or something. I'm not sure.

19 Q Okay. So you don't think you were there -- what? -- maybe
20 more than an hour or two?

21 A At the most probably like two hours, hour or two, yeah.

22 Q Okay. And while you were there, was Jack actually drinking?
23 Was he consuming alcohol?

24 A I didn't see him drinking, but I could tell he had been
25 drinking.

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1 Q He was pretty drunk; right?

2 A Yes.

3 Q Okay. All right. Why don't I let you just tell me what you
4 do remember. I may stop you if you jump ahead too quickly,
5 but -- so you get there. What's going on?

6 A They were arguing. Jack was wanting her to -- I guess to go
7 to the store to get him more alcohol, and Vickie didn't want
8 to go was how it all started.

9 Q Yeah; okay.

10 A He hollered at her to go get him alcohol, and she hollered
11 back at him she wasn't going. If he wanted to, go get it
12 himself, and that's when he came through the kitchen into
13 the living room and took a couple swings at her. And --

14 Q Did he land them? I mean, did he hit her actually?

15 A I couldn't really tell, but she told me later that he never
16 hurt her. So I don't believe he even hit her. And she
17 picked up the phone and called 911, and I kind of got
18 between them so he wouldn't swing at her no more. And I --
19 we kind of tussled, and we went down to the floor. And
20 after that he calmed down. I think he kind of realized -- I
21 think he was in a blackout from what I could see, the
22 expression on his face. He looked around like he didn't
23 know where he was, and he had calmed down.

24 And then when the officer got there, he was pretty
25 calm until he advised him that he was under arrest, and then

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1 **A No.**

2 **Q No?** So really you don't have that much involvement with law
3 enforcement; is that --

4 **A Well, I have plenty of involvement.**

5 **Q Yeah.** Would you want to be treated the way Jack was treated
6 that day?

7 **A No.**

8 MS. MacGREGOR: Irrelevant.

9 **Q Do you feel that was appropriate?**

10 MS. MacGREGOR: Irrelevant.

11 **A No.**

12 **Q Do you feel that that was the way someone's civil rights**
13 should be treated?

14 MS. MacGREGOR: Objection; irrelevant.

15 **A No.**

16 **Q Do you think that his civil rights were violated?**

17 MS. MacGREGOR: Objection; irrelevant.

18 **A Yeah.**

19 **Q Do you think that the amount of force that you observed**
20 Officer Wonch using on Jack was appropriate for how Jack was
21 behaving?

22 MS. MacGREGOR: Objection; irrelevant.

23 **A Honestly, no. I mean, I do believe he went a little**
24 **overboard.**

25 **Q Okay.** Have we ever spoken before?

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1 **A** **No.**

2 **Q** Okay. And have you spoken to anyone from my office, my
3 paralegal Lauren sitting here with me?

4 **A** **No.**

5 **Q** No? Okay.

6 MS. MacGREGOR: Asked and answered.

7 MR. TOUTANT: All right. That's all the questions
8 I have.

9 MS. MacGREGOR: No questions. You're all done.
10 (Deposition concluded at 4:37 p.m.)

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